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Arrest of French Secret Agent Is Predicted in Ben Barka Case

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PARIS, Feb. 8—Mareel Le Roy, (alias Finville, a top-secret operative of the French counter-espionage services, has admitted so much prior knowledge of the Ben Barka kidnaping that editorialists are predicting openly today that he will be arrested for complicity in the affair.

But Finville walked out of the office of examining magistrate Louis Zollinger late last night still a free man.

Finville said that the two long days of piercing questioning had affected his heart, and he applied for entrance to the military Val de Grace Hospital for treatment.

The kidnaping, followed perhaps by the murder, of Moroccan opposition leader Mehdi Ben Barka took place in Paris on Oct. 29. So far the person most deeply implicated in it had been Antoine Lopez, an agent of the Secret Services of Foreign Documentation and Counter-Espionage, the French CIA.

Lopez knew of the plan to kidnap Ben Barka in advance,

recruited two French policemen to pick him up and turn him over to toughs allegedly in the pay of the Moroccan Interior Minister, Gen. Mohamed Oufkir, and then withheld his information about the crime from the authorities investigating the case.

Lopez maintained that he was working under Finville's orders, which Finville denied until the marathon questioning in the presence of Lopez broke down his defense and obliged him to confess.

Finville admitted that:

- He had been informed long ahead of time about the plan to kidnap Ben Barka, had ordered Lopez to remain in touch with the affair and had known about its progress as it took place, but had done nothing to prevent it.

- He had not informed his superiors that the kidnaping was planned. He admitted that a report taken from the secret agency's files, dated Oct. 12, which had previously been presented as evidence that he had done so, as standard official practice demanded, had actually been written by himself after the case had

become public, pre-dated, and placed in the files to hide his negligence.

- He had withheld what he knew from the legal authorities and even other police services. When the police Prefecture telephoned him to ask to be put in touch with the officer who was handling the Ben Barka case, he answered that no one was dealing with it in the counter-espionage agency — though he himself was assigned to it.

The fact that Finville did not tell his superiors apparently lets higher-ups off the hook—at least so far as this particular organization is concerned—but takes responsibility pretty high up in pinning it on Finville.

He has an assimilated rank of general, and was so secret a higher operative that he had never been photographed. Newspapers and magazines running layouts of those involved in the scandal had to print a blank rectangle where Finville's picture should have been.

The photographers got to him last night, and now everybody has his photograph. This reduces his value as a top-secret agent, but that is a detail now. Finville's career is finished anyway.